

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
CRAIG ANDREW NEEF,

Plaintiff,

-against-

**STIPULATION AND ORDER
OF SETTLEMENT AND
DISCONTINUANCE**

07 CV 7677 (RJS) (JCF)

CITY OF NEW YORK, MICHAEL BLOOMBERG,
RAY KELLY, DAVID COHEN, JOSEPH ESPOSITO,
THOMAS GRAHAM, JOHN COLGAN, STEPHEN
HAMMERMAN, THOMAS DOEPFNER, RUBY
MARIN-JORDAN, JACK McMANUS, SEAN
O'CONNOR, UC 2406, RICHARD GIOIA, KEVIN
WARD, THOMAS DIRUSSO, RUSSELL JOHN, and
JOHN DOES 1-10 and RICHARD ROES 1-10,

Defendants.
----- X

WHEREAS, plaintiff CRAIG ANDREW NEEF ("Plaintiff") commenced this action in the Southern District of New York by filing a complaint on or about August 29, 2007, alleging that defendants violated Plaintiff's civil and common law rights (the "Complaint"); and

WHEREAS, this action is one of many related actions stemming from activities during the 2004 Republican National Convention in New York City and consolidated for discovery before Magistrate Judge James C. Francis IV and pending before District Judge Robert J. Sullivan (the "RNC Cases"); and

WHEREAS, defendants The City of New York and Michael Bloomberg, Ray Kelly, David Cohen, Joseph Esposito, Thomas Graham, John Colgan, Stephen Hammerman, Thomas Doepfner, Ruby Marin-Jordan, Jack McManus, Sean O'Connor, UC 2406, Richard

Gioia, Kevin Ward, Thomas DiRusso, and Russell John have denied any and all liability arising out of Plaintiff's allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, including the issue of attorney's fees, without further proceedings and without admitting any fault or liability; and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. This action is dismissed with prejudice and without costs, expenses or fees except as provided in paragraph "2" below.

2. The City of New York hereby agrees to pay plaintiff CRAIG ANDREW NEEF the sum of TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00), in full satisfaction of his claims, including all claims for costs, expenses, attorney's fees and interest.

3. In consideration for the payment of the sum listed in paragraph "2", above, Plaintiff agrees to the dismissal, with prejudice, of all claims against all named defendants, including The City of New York, Michael Bloomberg, Ray Kelly, David Cohen, Joseph Esposito, Thomas Graham, John Colgan, Stephen Hammerman, Thomas Doepfner, Ruby Marin-Jordan, Jack McManus, Sean O'Connor, UC 2406, Richard Gioia, Kevin Ward, Thomas DiRusso, and Russell John and the defendants named in the caption as "John Doe and Richard Roe," and to release all defendants, their successors or assigns; all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, including but not limited to, the New York City Police Department; The Hudson River Park Trust; and the New York City Health and Hospitals Corporation; from any and all liability, claims or rights of action arising from, contained in, or related to the Complaint in this action, which were or could

have been alleged by Plaintiff, including all claims for attorney's fees, expenses, costs and interest.

4. Plaintiff shall execute and deliver to defendants' attorneys all documents necessary to effect this settlement, including, without limitation, General Releases based on the terms of paragraphs "2-3" above and an Affidavit of No Liens.


5. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way performed the acts or omissions alleged in the Complaint herein or that defendants violated Plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

6. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or the New York City Police Department.

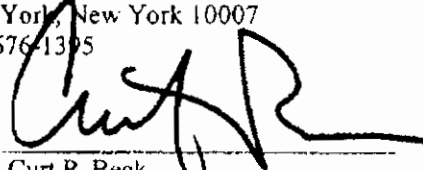
7. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
April 22, 2008


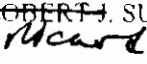
BELDOCK LEVINE & HOFFMAN LLP
Attorney for Plaintiff
99 Park Avenue
New York, New York 10016
212-490-0400

By: 
Clare Norins, Esq.

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street, Room 3-140
New York, New York 10007
212-676-1395

By: 
Curt P. Beck
Special Assistant Corporation Counsel

SO ORDERED:


HON. ROBERT J. SULLIVAN,
U.S.D.J. 
4/29/08